

P A T E N T

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Tracee Eidenschink Examiner: Vy Q. Bui
Serial No.: 10/780,937 Confirmation No: 1924
Filing Date: February 18, 2004 Group Art: 3773
For: MULTI STENT DELIVERY SYSTEM
Docket No.: 1001.2262101

TERMINAL DISCLAIMER TO OBViate DOUBLE PATENTING REJECTION OVER
PENDING REFERENCE APPLICATIONS

Mail Stop Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

CERTIFICATE FOR ELECTRONIC TRANSMISSION:

The undersigned hereby certifies that this paper or papers, as described herein, are being electronically transmitted to the U.S. Patent and Trademark Office on this 17th day of June, 2009.

By Lynn Thompson
Lynn Thompson

The owner, Boston Scientific Scimed, Inc, having 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application No. 10/747,546, filed December 29, 2003, and Application No. 10/757,646, filed January 13, 2004 as such term is defined in 35 U.S.C. §§ 154 and 173, and the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full

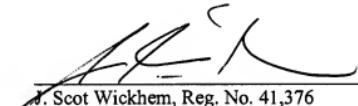
statutory term as defined in 35 U.S.C. §§ 154 and 173 of any patent granted on said reference application, "as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference application," in the event that: any such patent: granted on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned is an attorney of record.

Applicants authorize the terminal disclaimer fee of \$140 for each application disclaimed herein, to be charged to Deposit Account No. 50-0413, and any additional fees required by this paper or credit any overpayment to Deposit Account No. 50-0413.

Respectfully Submitted,

Date: _____


J. Scot Wickhem, Reg. No. 41,376
CROMPTON, SEAGER & TUFTE, LLC
1221 Nicollet Avenue, Suite 800
Minneapolis, Minnesota 55403-2420
Telephone: (612)-359-9348
Facsimile: (612) 359-9349
Email: Scot.Wickhem@cstlaw.com